

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date: 5/29/74 (plaintiff)

D. C. Form No. 106A Rev.

John

TITLE OF CASE

ATTORNEYS

ANNE M. DARTT

VS

SHELL OIL COMPANY

For plaintiff:

145-0691
Jefferson G. Greer ~~584-3591~~
~~206 Beacon Bldg~~ 3010 S. Harvard
Tulsa, Okla 74103 Suite 112
74114

For defendant:

Mary T. Matthies
2600 Fourth National Bank Bldg.
Tulsa, 74119.
582-4400

STATISTICAL RECORD

COSTS

DATE

NAME OR
RECEIPT NO.

REC.

DISB.

J.S. 5 mailed 6-1-74
9-1-76

Clerk

1974
5-21- Greer
5-23-74 C/D #46
3/5/75 Greer

15 00

15 00

J.S. 6 mailed 3-1-75
10-1-81

Marshal

Docket fee

Witness fees

Depositions

Basis of Action: Money
damages for discrimin-
ation in employment
and for a mandatory
Action arose at: injunction
reinstating plaintiff

DAUGHERTY
"CLASS ACTION"

74-C-221

DATE	PROCEEDINGS	Date Order or Judgment Noted
5-21-74	1. Complaint filed ^{w/ Rule 23 allegation,} and summons issued. ds ✓	
5-29-74	2. DEMAND FOR JURY TRIAL, filed.jj	
5-29-74	SUMMONS, ret. & filed: served Shell Oil Co., 5-24-74.g(USM \$4.00)	
6-11-74	3. CONSENT and Request to be made a party pltf filed by Geneva Faye Blankenship.jj ✓	
6-11-74	4. Motion to dismiss of def. for failure to state cause of action, filed.rm ✓	
6-11-74	5. Brief in support of mo/dismiss of def., filed. rm ✓	
6-17-74	MO: Ordered by the Court that plaintiff respond to defendant's motion to dismiss with a supporting brief within 15 days of this date. (FD-J) ds	
6-24-74	6. Reply brief of pltf. in opposition to def. mo/dismiss, filed. rm ✓	
6-26-74	7. Answer brief of def. to pltf. response in opp. to mo/dismiss, filed.rm ✓	
7-16-74	Case set for hearing on deft's motion to dismiss for failure to state cause of action on Monday 7-22-74 at 12:00 Noon. (FD-J)hm (notices sent)	
7-22-74	Case called for hrg. on defts. m/dismiss for failure to state cause of action. Pltf. & Def. rep. by counsel of record. Statements made. Case passed to Wed. 7/24/74 at 12 noon for further evidence. (FD-J)rm	
7-24-74	Further hearing held on def. mo/dismiss. Parties pre. & rep. Pltf. allowed by Ct. to amend complaint to include notice. Pltf. sworn and testifies. Pltfs. exhibits admitted. Defs. witnesses sworn and testify and exhibit admitted. Motion taken under advisement. Parties granted 15 days to further brief subject of "tolling." If further evidentiary hrg. necessary, they are to request of Ct. (FD-J)rm	
8-1 -74	MO: Case is set for further hearing on def.'s motion to dismiss at 9:00 a.m., 8/22/74, before FD. (FD-J)rm - notices mailed	
8-2-74	Letter from Mary T. Matthies, dated 7-29-74, to Judge Daugherty requesting further evidentiary hearing on Def's Motion to Dismiss in order to hear testimony of Mr. J. Dean Speer, filed.k ✓	
8-2-74	Letter from Jefferson G. Greer, dated 7-30-74, to Judge Daugherty requesting further evidentiary hearing on Def's Motion to Dismiss in order to present testimony of Mr. J. Dean Speer, filed.k ✓	
8-2-74	Letter from Judge Daugherty, dated 8-1-74 to Mr. Greer & Ms. Matthies setting evidentiary hearing on Thursday, 8-22-74 at 9:00 a.m. for presentation of testimony of Mr. J. Dean Speer, filed.k ✓	
8-2-74	Pltf's Trial Brief, filed.k ✓	
8-6-74	Subpoena issued.k	
8-8-74	Supplemental Brief of Shell Oil Co. in Support of Mtn. to Dismiss, filed.jj ✓	
8-22-74	Hearing held on def. mo/dismiss, contd. from 7/24/74. J. Dean Spears called as witness for pltf. Witness sworn, testifies and is cross-examined. Parties give closing arguments. Ct. takes motion under advisement. (FD-J)rm	

D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
2-6-75	Order, filed and entered, that pltf. cannot bring a class action; that def. mo/dismiss should be sustained; and pltf. action dismissed for lack of subject matter jurisdiction in this Ct.(FD-J)rm-copies md.	
3-5-75	Notice of appeal by pltf. from order of 2/6/75, filed. rm (copies to counsel and USCA)	
3-6-75	Bond for costs on appeal (\$250 surety), filed. rm	
4-3-75	Order, filed, granting appellant to 5/28/75 to file and docket appeal. (FD-J)rm - copies to counsel and USCA	
5-16-75	Transcript of proceedings had on 7/22 and 7/24, 1974 and 8/22/74, filed. (Tim Holmes-CSR)rm	
5-21-75	Appeal record (2 vols.) transmitted to USCA. rm	
8-30-76	Mandate and opinion of USCA, filed and spread of record, reversing and remanding cause for further proceedings in accordance with opinion. rm	
8-30	Statement of costs from 10th Circuit, in amount of \$178.96, in favor plaintiff and against def., filed and taxed. rm	
9-27	Motion of def. for clarification of mandate and for ext. of time to answer, filed. rm	
9-30	Order, filed, that if def. files petition for cert., no ans. will be due until 10 days after final disposition; further def. is granted to 11/17/76 to ans. if no petition for cert. filed.(LB for FD-J)rm-copies mailed	
10-21	Letter, filed, from def. counsel that they intend to petition Supreme Court for writ of cert. rm	
11-26	W/Certiorari filed in Supreme Court 11-15-76 and given No. 76-678.g	
3-7-77	Copy of letter from 10th Circuit, advising that Petition for Writ of Certiorari was granted on 2/22/77. rm	
4-14	Letter from 10th Circuit that record on appeal was transmitted to Supreme Court. rm	
1-24-78	Interrogatories propounded to deft. by plaintiff, filed. rm	
1-26	C.C. Order from Supreme Court that judg. of 10th Circuit is affirmed by equally divided Court, filed. rm (deft. to ans. within 10 days from this date).	
1-27	Answer of deft., filed. rm	
1-31	Motion of pltf. to amend complaint, filed. rm (10+ ans. to 8)	
2-3	Letter from FD, filed, directing deft. to respond to pltf. mo/amend complaint by 2/12/78, w/brief if opposed.(FD-J)rm	
2-10	Pltf. 2nd interrog. to deft., filed. rm	

DATE	PROCEEDINGS	Date Order or Judgment Noted
<u>1978</u>		
2-14	Letter, filed, from deft. counsel, req. ext. of time to respond to pltf. mo/amend complaint. rm	
2-14	MO: Ordered by the Court, that deft. is granted to 2/24/78 to respond to pltf. mo/amend complaint.(FD-J)rm-letter	
2-24	Response of deft. to mo/amend complaint, filed. rm	
2-24	Motion of deft. for ext. of time to ans. first set of interrog., filed.rm	
3-1	Order, filed, granting deft. to 3/27/78 to ans. pltf. interrog.(FD-J)rm	
3-7	Motion of deft. for ext. of time to ans. 2nd set of interrog., filed.rm	copies md.
3-9	Order, filed, granting deft. to 4/27/78 to ans. pltf. 2nd interrog. (FD-J)rm-copies md.	
3-27	Answers by deft. to first set of interrog., filed. rm	
3-27	Deposition of Anne M. Dartt, on behalf of deft., taken 3/8/78, filed.rm (P. WalkerCR)rm	
4-25	Motion of deft. for ext. of time to ans. pltf. 2nd set of interrog., filed. rm (O)	
4-27	Order, filed, granting deft. from 4/27/78 to 5/19/78 to ans. pltf. 2nd set of interrog.(FD-J)rm-copies md.	
5-17	Appeal record (2 vol) received from 10th Circuit. rm	
5-18	Mo. for ext. of time to ans. 2nd interrog. by deft., filed.rm(O)	
5-24	Order, filed, granting deft. to 6/9/78 to file ans. to pltf. 2nd interrog.(FD-J)rm-copies mailed	
6-9	Deft. ans. to Pltf. second set of interrog. fld. ho	
6-14	Motion of pltf. for hrg. on defts. objs. to certain interrogatories and production of documents, filed.rm (copy to FD)	
6-20	Letter from FD, directing deft. to ans. interrog. and furnish documents to pltf. within 20 days, or show cause in writing why deft. should not do so.(FD-J)rm	
6-20	Notice of taking depositions by pltf., filed. subpoenas issued. rm	
7-6	Req. of deft. for ext. of time to respond to mo/compel, filed.rm(O)	
7-13	Order, filed, granting deft. until 7-17-78 to respond to pltf's mot. to compel. (FD-J) cp mld	
7-17	Response of deft. to pltf. mo/compel and counter ^{of 4} motion for protective order, filed. rm - copy to FD	
7-17	Brief of deft. in support of response to pltf. mo/compel & deft.'s counter-motion for protective order, filed. rm - copy to FD	

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DATE	PROCEEDINGS	Date Order or Judgment Noted
1978	Dartt v. Shell Oil	
8-4	MO: Ordered that case is set for hrg. on pltf. mo/compel and deflt. countermotion for protective order for Friday, 8/11/78 at 10:30 a.m. (FD-J)rm-notices	
8-8	Appl. of pltf. to reset hrg of 8/11/78, filed. rm	
8-10	Order, filed, striking hearing of 8/11/78 to be reset on order of the Court. (FD-J)rm-copies mailed	
8-25	MO: Directed that pltf. respond to deflt's countermotion for protective order, and do so with supporting Brief if the same is opposed within 15 days from the date hereof. (FD-J)g	
8-25	Motion for protective order of deflt., filed. rm	
8-25	Brief in support of mo/protective order, filed. rm	
9-1	Letter from FD, directing pltf. to respond to deflt. mo/protective order within 10 days from 8/31/78, w/brief, if opposed; further directing pltf. to not contact any employees of Shell until instant motion resolved. (FD-J)rm	
9-5	Pltf. response to deflt. mo/protective order (filed 8/25/78), filed. rm	
9-5	Brief in support of response to deflt. mo/protective order, filed. rm	
9-7	Mo. of pltf. for addl. time to respond to deflt. countermotion for protective order, filed. rm(0)	
9-11	Response of deflt. to pltf. reply to mo/protective order, filed. rm	
9-11	Response of pltf. to deflt. countermotion/prot. order, filed. rm	
9-11	Brief in support of pltf. mo/compel & in opposition to deflt. counter-mo/protective order, filed. rm	
9-13	Order, filed, granting pltf. to 9/13/78 to respond to deflt. counter-motion for prot. order. (FD-J)rm-copies mailed (response already filed 9/11/78)	
10-3	Reply of deflt. to pltf. response to countermotion for protective order, filed. rm	
10-16	Deposition of David Randall Bennett, 7/20/78, in Tulsa, filed. rm (D. Cutchall, LSR)	
10-16	Depositions of Albert V. Hogan and Doris L. Adams, 7/20/78, in Tulsa, filed. (D. Cutchall, LSR)rm	
10-16	Depositions of Diane Marie Adams, 6/30/78, in Tulsa, filed. (D. Cutchall, LSR)rm	
10-16	Depositions of Lew Allen Springer, Janice Lynn Ambrose, Harley J. Gosney, Elaine Shoats, Joy Darlene Corley, Jean Ann Patterson, Marcie Elaine, McGee, John C. Gardner, Anita C. Travis, Teresa M. Walker, Mary Christine Fell, Blanche Naomi Bullard, Patricia Sharon Porter and James Paul Alford, taken 6/29 and 6/30, 1978, at Tulsa, filed. (D. Cutchall, LSR)rm	

DATE 1979	PROCEEDINGS ANNE M. DARTT vs. SHELL OIL CO.	Date Order or Judgment Noted
6-27	ORDER, <u>Pltf. mot. to amend compl. is granted</u> & the Clk. is directed to file <u>Pltfs. amendment to Compl.</u> as the amendment alters only the amt. of damages sought by Pltf., the Ct. will not require the Deft. to file an amended responsive pleading & Defts. ans. on file is considered as being filed to <u>Pltfs. compl. as amended.</u> <u>Defts. mot. for protective order is denied.</u> The Ct. directs Pltf. to file w/in 10 days of this date a supplement to her mot. to compel wherein she is to specify which interrog. she seeks to compel Deft. to further ans. In view of the Cts. decision to require Pltf. to file a supplement to her mot. to compel, the Ct. will in its discretion hold the Defts. counter-mot. in abeyance until such time as it rules on Pltfs. mot. to compel, as supplemented. IT IS SO ORDERED. (FD-J)ho c/m	
6-27	AMENDMENT TO COMPLAINT, ho (Deft. ans. of 1-27-78 is adopted by Ct. per order of 6-27-79 a response to the amendment to compl.)	
6-28	SUPPLEMENTAL MOTION of Pltf. to compel discovery. ho	
6-29	RESPONSE of deft. to pltf. suppl. mo/compel, w/renewed objs. to certain interrog. and renewed ctrmotion for prot. order. rm	
10-2	ORDER, re: Pltf. mot. to compel, & request for documents & Defts. counter mot. for protective order. Deft. is to prepare proposed Protective order & submit the same to the Ct. w/in 10 days of this date. Deft. is directed to further ans. Pltf. interrog. as indicated in this order w/in 30 days of this date. (FD-J)ho c/m	
10-29	PROTECTIVE ORDER, re: Pltfs. first set of interrog. #34. (FD-J)ho c/m	
10-29	MOTION of Deft. for partial S/J, w/affid. of Albert V. Hogan, John C. Gardner & Kenneth E. Jacobs. ho	
10-29	BRIEF of Deft. in supp. of mot. for partial S/J. ho	
10-29	MOTION of Deft. for reconsideration, request for addl. protective order & request for ext. of time if protective order not granted. ho	
10-29	BRIEF of Deft. in supp. of mot. for reconsideration, request for addl. protective order & request for ext. of time. ho	
10-30	MO: ORDER, Pltf. is ordered to file a responsive brief by 11-14-79 to Deft. mot. for partial S/J & mot. for reconsideration, request for addl. protective order & request for ext. of time. (FD-J)ho c/m	
11-9	RESPONSE of pltf. to mo/reconsider, req/prot. order & req/ext. rm	
11-9	BRIEF in oppos. to mo/reconsider, etc. rm	
11-9	RESPONSE of deft. in opposition to mo/partial SJ. rm	
11-13	BRIEF in opposition to mo/partial SJ. rm	

DC 111A
(Rev. 1/75)

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
ANNE M. DARTT		SHELL OIL COMPANY	PAGE ____ OF ____ PAGES
DATE 1979	NR.	PROCEEDINGS	
12-12		REPLY of Deft. to Pltfs. response to mot. for reconsideration. ho	
12-12		REPLY of Deft. to Pltfs. response to mot. for partial S/J. ho	
1980 4-1		ORDER, that deft. mo/partial SJ is <u>granted</u> insofar as pltf. seeks to maintain class action, and <u>overruled</u> in all other respects; that deft. mo/reconsider is <u>overruled</u> insofar as it seeks reconsideration of Ct. prior order of 10/2/79; that deft. req. re ext. of time to answer pltf. interrogatories is <u>granted</u> . Deft. is directed to prepare proposed protective order & submit to Ct. within 10 days from this date. Deft. is directed to ans. pltf. interrogatories within 60 days of this date. (FD-J)rm -c/m	
4-16		PROTECTIVE ORDER (pursuant to Order of 4/1/80) (FD-J)rm-c/m	
6-2		SUPPL. ANSWERS to pltf. 1st set of interrogs. rm	
6-2		SUPPL. ANSWERS to pltf. 2nd set of interrogs. rm	
8-12	MO:	CASE SET for pretrial, Thurs., 10/2/80 at 10 a.m. (FD-J)rm-ntc	
8-29		INTERROGS. OF deft., first set to Anne M. Dartt.mm	
8-29		INTERROGS. OF deft., first set to Geneva Blankenship.mm	
9-12		ANSWERS by pltf. to deft. 1st set of interrogs. rm	
9-22		APPLICATION of pltf. for ext. of time to file trial brief.mm (O)	
9-22	MO:	PLTF. appl/ext. of time to file trial brief is stricken as moot. (FD-J)rm	
10-2	Min	PRETRIAL conf. Case to be Jury, Pltf. brief on issues in 30 days Deft. brief due 30 days thereafter. Requested Instructions due in 60 days. Pltf. to submit PTO w/in 60 days. Est. time of trial 3 days. (FD-J)ho	
10-10		MOTION of deft. to dismiss claims of Geneva Blankenship.mm	
10-10		MEMORANDUM in support of motion to dismiss claims of G. B.mm	
10-14	MO:	ORDER, pltf. file response by 10-27-80 to deft. mo/dismiss claims of Geneva Blankenship. (HDC-J)mm c/m (FD-J)	
10-15		RESPONSE of Pltf. to Defts. mot. to dismiss claims of Geneva Blankenship. ho	
10-17		BRIEF of pltf. in support of response. rm	
10-21		ORDER granting deft. mo/dismiss claim of Geneva Blankenship, wo/prej. (FD-J)rm-c/m	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 74-C-221
ANNE M. DARTT		SHELL OIL COMPANY	PAGE 8 OF 4 PAGES
DATE 1980	NR.	PROCEEDINGS	
10-29		TRIAL BRIEF of plaintiff.k	
11-26		APPLICATION of pltf. for ext. of time to file PTO & req. instr.hm(O toJ)	
12-1		TRIAL brief o fdeft. rm	
12-4		ORDER granting parties to 12/12/80 to file PTO & req.inst.(FD-J)rm-c/m	
12-12		PROPOSED JURY INSTRUCTIONS of deft.mm	
12-24		LETTER from Judge Daugherty to pltf. counsel, re pretrial order.rm	
1-20-81		PRETRIAL ORDER(FD-J)rm	
8-3	MO:	CASE TRANSFERRED TO JUDGE H. DALE COOK FOR ALL PURPOSES.(FD-J)rm	
8-3	MO:	CASE set for status conf. before Judge Cook for Thurs., 9/17/81 at 3:5p.m.(HDC-J)rm-ltr	
9-15		JOINT APPLICATION for dismissal w/prej. pt (O) ENTERED	
9-16		ORDER/that complt of pltf & all causes of action are dismissed w/prej.; ea. pty to bear own costs.(HDC-J) jc (c/ptys)	
9-17	---	DEPOS returned to deft.am	